9 VAC 25-115-10. Definitions.

The words and terms used in this chapter shall have the meanings defined in the State Water Control Law (Chapter 3.1 of Title 62.1, Code of Virginia) ~~,~~ and ~~9 VAC 25-30-10 et seq. (Permit Regulation)~~ the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31-10 et seq.) unless the context clearly indicates otherwise ~~, .~~ except that Additionally, for the purposes of this chapter:

~~"Board" means the State Water Control Board.~~

~~"Department" means the Virginia Department of Environmental Quality.~~

~~"Director" means the Director of the Virginia Department of Environmental Quality, or an authorized representative.~~

~~"Seafood Processing Facility" means any facility classified under Standard Industrial Classification (SIC) 2091, 2092, 5142 or 5146 (Office of Management and Budget (OMB) SIC Manual, 1987), except mechanized clam facilities which processes or handles seafood intended for human consumption or as bait. Seafood includes but is not limited to crabs, oysters, hand-shucked clams, scallops, squid, eels, turtles, fish, conchs and crayfish.~~

"Industrial Activity" means ~~the~~ facilities classified under SIC Code 2091 or 2092.

"Runoff Coefficient" means the fraction of total rainfall that will appear at the conveyance as

runoff.

"Seafood Processing Facility" means any facility classified under SIC Code 2091, 2092, 5142 or 5146, except a mechanized clam facility, which processes or handles seafood intended for human consumption or as bait. Seafood includes but is not limited to crabs, oysters, hand-shucked clams, scallops, squid, eels, turtles, fish, conchs and crayfish.

"SIC" means the Standard Industrial Classification Code or Industrial Grouping from the U.S. Office of Management and Budget Standard Industrial Classification Manual, 1987 edition.

"Significant Materials" includes, but is not limited to; : raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production (except oyster, clam or scallop shells); hazardous substances designated under §101(14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) (42 USC §9601); any chemical the facility is required to report pursuant to EPCRA § 313 §313 of the Emergency Planning and Community Right-to-Know Act (EPCRA)(42 USC § 11023); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Discharge Associated With Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to

manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the ~~NPDES program under 40 CFR Part 122 (1992)~~ VPDES program under 9 VAC 25-31-10 et seq. For the categories of industries identified in the "Industrial Activity" definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products (except for oyster, clam or scallop shells) used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process wastewaters ~~(as defined at 40 CFR Part 401 (1992))~~; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage area (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product (except for oyster, clam or scallop shells). The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas.

9 VAC 25-115-20. Purpose; delegation of authority; effective date of permit.

A. This general permit regulation governs the discharge of wastewater and storm water associated with industrial activity from seafood processing facilities. It does not cover wastewater

discharges from mechanized clam processing facilities.

B. The director, or ~~his designee~~ an authorized representative, may perform any act of the board provided under this regulation, except as limited by § 62.1-44.14 of the Code of Virginia.

C. This general permit will become effective on ~~July 24, 1996~~ July 24, 2001. ~~This general permit~~ and will expire five years after the effective date. ~~For any covered owner this~~ ~~This~~ general permit is effective ~~as to any covered owner~~ upon compliance with all the provisions of 9 VAC 25-115-30 and the receipt of this general permit.

9 VAC 25-115-30. Authorization to Discharge.

Any owner governed by this general permit is hereby authorized to discharge to surface waters of the Commonwealth of Virginia provided that the owner files and receives acceptance by the director of the registration statement of 9 VAC 25-115-40, files the required permit fee, complies with the effluent limitations and other requirements of 9 VAC 25-115-50, and provided that:

A. Individual Permit.

The owner shall not have been required to obtain an individual permit as may be required in the VPDES Permit Regulation (~~9 VAC 25-30-10~~ 9 VAC 25-31-10 et seq.).

B. Prohibited Discharge Locations.

The owner shall not be authorized by this general permit to discharge to state waters specifically named in other board regulations or policies which prohibit such discharges.

Receipt of this general permit does not relieve any owner of the responsibility to comply with any other federal, state or local statute, ordinance or regulation.

9 VAC 25-115-40. Registration Statement.

The owner shall file a complete general VPDES permit registration statement, which will serve as a notice of intent for coverage under the general permit for seafood processors. Any owner of an existing facility covered by the general VPDES permit for seafood processing facilities that became effective on July 24, 1996 who wishes to remain covered by this general permit shall file a new registration statement by June 1, 2001 in order to avoid a lapse in coverage. ~~Any owner of an existing seafood processing facility which is covered by this general permit, who wishes to add a process to the existing permit, shall file an amended registration statement at least 30 days prior to commencing operation of the new process.~~ Any owner proposing a new discharge shall file the registration statement at least 30 days prior to the date planned for ~~commencing construction or~~ operation of the new discharge. Any owner of an existing seafood processing facility covered by an individual VPDES permit who is proposing to be covered by this general permit shall file the registration statement at least ~~120~~ 180 days prior to the expiration date of the individual VPDES permit. Any owner of an existing seafood processing facility not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file the registration statement. After coverage under the general permit is obtained, an amended registration statement must be submitted at least 30 days prior to commencing operation of any new

process not included on the original registration statement. The required registration statement shall be in the following form contain the following information:

VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM

GENERAL PERMIT REGISTRATION STATEMENT

FOR SEAFOOD PROCESSING FACILITIES

1. **APPLICANT INFORMATION**

A. Name of Facility: _____

B. Facility Owner: _____

C. Owner's Mailing Address:

a. Street or P.O. Box _____

b. City or Town _____ c. State __ d. Zip Code _____

e. Phone Number _____

~~D. Facility Location: _____~~

~~Street No., Route No., or Other Identifier~~

~~E. Is the operator of the facility also the owner? ___ Yes ___ No~~

~~If No, complete F. & G.~~

~~F. Name of Operator: _____~~

~~G. Operator's Mailing Address~~

~~a. Street or P.O. Box _____~~

~~b. City or Town _____ c. State __ d. Zip Code _____~~

~~e. Phone Number _____~~

2. ~~**FACILITY INFORMATION**~~

~~Will this facility discharge to surface waters ___ Yes ___ No. If yes, name of receiving stream _____.~~

~~Does this facility currently have an existing VPDES Permit?~~

___ Yes ___ No If yes, what is the permit No. _____

Provide the original date of construction of the seafood processing facility building and dates and description of all subsequent facility construction.

_____
_____
_____
_____
_____
_____
___
___

3. **MAP**

Attach a USGS topographic map extending to at least one mile beyond property boundary, indicate location of facility and name of topographical quadrangle.

4. **SIC CODES** (check all applicable categories)

____ 2091 Canning and Curing Fish and Seafood

____ 2092 Preparing Fresh or Frozen Fish and Seafood

____ 5142 Wholesale Distribution of Packaged Frozen Fish and Other Seafood

____ 5146 Wholesale Distribution of Fish and Seafood, Including Product Cured, Fresh or Frozen But Not Packaged or Canned

5. **NATURE OF BUSINESS**: (provide a brief description)

6. **OUTFALL INFORMATION**

List all wastewater discharge outfalls by a number that is the same as on the drawings required in Question 8. Identify the processes which discharge through each outfall. Give the name of the waterbody receiving the discharge.

Outfall No.	Operation (Process)	Receiving Stream

7. **MAXIMUM DAILY PRODUCTION** (the highest production value on any one day during a calendar year) ; (use weight of raw product except for oyster or scallop processing for which final product weight should be reported)

Operation (Process)	Quantity Per Day	Unit of Measurement

8. **FACILITY DRAWING**

A. Attach a line drawing for each process showing the source of the water and its flow through the facility. Show each step of the process, (i.e. what happens to the water from the time it arrives at the facility until the time it leaves showing all individual floor drains, where pipes run through the building and where they discharge in relation to the receiving waters.)

B. Will any of the above processes operate simultaneously and discharge to the same outfall(s)? Yes ____ No ____

If so, please provide specific information regarding simultaneous discharges.

~~9. TREATMENT INFORMATION~~

~~A. If settling basins or screens are used in wastewater treatment, provide the dimensions and capacity of the settling basin(s) and/or screen mesh size and location.~~

~~B. Describe the method and frequency of solid wastes disposal.~~

10. **CHEMICALS**

Are any chemicals other than cleaners and sanitizers approved by the U. S. Department of Agriculture for food plant applications used in such a way that they might be in the discharge?

Yes No

If yes, provide the name of the chemical(s) here and describe how it is used.

11. **CERTIFICATION:**

~~I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.~~

~~Signature(s): _____ Date: _____~~

~~_____~~

~~_____ Date: _____~~

~~Name of person(s) signing above: _____~~

~~_____ (printed or typed)~~

~~_____~~

~~_____ (printed or typed)~~

~~Title(s): _____~~

~~REQUIRED ATTACHMENTS~~

~~Facility Drawing~~

~~USGS Topographic Map~~

~~Local Government Ordinance Form (If needed, see No. 12)~~

~~For Department use only:~~

~~Accepted/Not Accepted by: _____ Date: _____~~

~~Basin _____ Stream Class _____ Section _____~~

~~Special Standards _____~~

A. ~~Facility name, owner, mailing address and telephone number;~~

B. ~~Facility location;~~

C. ~~Facility operator name, address and telephone number if different than owner;~~

D. ~~Does the facility discharge to surface waters? Name of receiving stream if yes;~~

E. ~~Does the facility have a current VPDES Permit? Permit Number if yes;~~

F. ~~The original date of construction of the seafood processing facility building and dates and description of all subsequent facility construction.~~

G. ~~A USGS topographic map showing the facility location;~~

H. ~~Facility SIC Code(s);~~

I. ~~Nature of business at facility;~~

J. ~~Discharge outfall information;~~

K. Facility maximum production information;

L. Facility line drawing;

M. Multi-process simultaneous discharge information;

N. Treatment and solid waste disposal information;

O. Information on use of chemicals at the facility;

P. The following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

The registration statement shall be signed in accordance with 9 VAC 25-31-110.

9 VAC 25-115-50. General Permit.

Any owner whose registration statement is accepted by the director will receive the following

permit and shall comply with the requirements therein and be subject to all requirements of the VPDES Permit Regulation.

General Permit No.: VAG52

Effective Date: ~~July 24, 1996~~ July 24, 2001

Expiration Date: ~~July 24, 2001~~ July 24, 2006

GENERAL PERMIT FOR SEAFOOD PROCESSING FACILITY

AUTHORIZATION TO DISCHARGE UNDER THE

VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the

State Water Control Law and regulations adopted pursuant ~~thereto~~ to it , owners of seafood processing facilities, other than mechanized clam processing facilities, are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations or policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, Part II - Storm Water Pollution Prevention Plans, and Part III - ~~Monitoring and Reporting, and Part IV - Management Requirements~~ Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – SEAFOOD PROCESSING NOT LIMITED ELSEWHERE IN PART I.A. – ALL SOURCES

1. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from seafood processing not otherwise classified from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/YEAR	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/YEAR	Grab
TSS	NL	NL	NA	NA	NA	1/YEAR	Comp

Oil and Grease	NL	NL	NA	NA	NA	1/YEAR	Grab
Production	NA	NL	NA	NA	NA	1/YEAR	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by the end of the year and reported by the 10th of January of the following year on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – CONVENTIONAL (HANDPICKED) BLUE CRAB PROCESSING – EXISTING SOURCES PROCESSING MORE THAN 3,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

2. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from conventional blue crab processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	0.74	2.2	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.20	0.60	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – CONVENTIONAL (HANDPICKED) BLUE CRAB PROCESSING – ALL NEW SOURCES

3. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from conventional blue crab processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	0.15	0.30	NA	1/3 MONTHS	Comp
TSS	NL	NL	0.45	0.90	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	0.065	0.13	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – MECHANIZED BLUE CRAB PROCESSING – ALL EXISTING SOURCES

4. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized blue crab processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	12.0	36.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	4.2	13.0	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – MECHANIZED BLUE CRAB PROCESSING – ALL NEW SOURCES

5. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized blue crab processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	2.5	5.0	NA	1/3 MONTHS	Comp
TSS	NL	NL	6.3	13.0	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	1.3	2.6	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – NON-BREADED SHRIMP PROCESSING – EXISTING SOURCES PROCESSING MORE THAN 2,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

6. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from non-breaded shrimp processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	38.0	110	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	12.0	36.0	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – NON-BREADED SHRIMP PROCESSING – ALL NEW SOURCES

7. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from non-breaded shrimp processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	25.0	63.0	NA	1/3 MONTHS	Comp
TSS	NL	NL	10.0	25.0	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	1.6	4.0	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – BREADED SHRIMP PROCESSING – EXISTING SOURCES PROCESSING MORE THAN 2,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

8. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from breaded shrimp processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	93.0	280	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	12.0	36.0	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – BREADED SHRIMP PROCESSING – ALL NEW SOURCES

9. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from breaded shrimp processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	40.0	100	NA	1/3 MONTHS	Comp
TSS	NL	NL	22.0	55.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	1.5	3.8	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – TUNA PROCESSING – ALL EXISTING SOURCES

10. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from tuna processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	3.3	8.3	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.84	2.1	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – TUNA PROCESSING – ALL NEW SOURCES

11. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from tuna processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	8.1	20.0	NA	1/3 MONTHS	Comp
TSS	NL	NL	3.0	7.5	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.76	1.9	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – CONVENTIONAL BOTTOM FISH PROCESSING – EXISTING SOURCES PROCESSING MORE THAN 4,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

12. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from conventional bottom fish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	2.0	3.6	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.55	1.0	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – CONVENTIONAL BOTTOM FISH PROCESSING – ALL NEW SOURCES

13. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from conventional bottom fish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	0.71	1.2	NA	1/3 MONTHS	Comp
TSS	NL	NL	0.73	1.5	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	0.042	0.077	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – MECHANIZED BOTTOM FISH PROCESSING – ALL EXISTING SOURCES

14. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized bottom fish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	12.0	22.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	3.9	9.9	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – MECHANIZED BOTTOM FISH PROCESSING – ALL NEW SOURCES

15. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized bottom fish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	7.5	13.0	NA	1/3 MONTHS	Comp

TSS	NL	NL	2.9	5.3	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.47	1.2	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HAND-SHUCKED CLAM PROCESSING – EXISTING SOURCES WHICH PROCESS MORE THAN 4,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

16. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from hand-shucked clam processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	18.0	59.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.23	0.60	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HAND-SHUCKED CLAM PROCESSING – ALL NEW SOURCES

17. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from hand-shucked clam processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT	MONITORING		DISCHARGE LIMITATIONS				
CHARACTERISTICS	REQUIREMENTS						
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	17.0	55.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.21	0.56	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HAND-SHUCKED OYSTER PROCESSING – EXISTING SOURCES WHICH PROCESS MORE THAN 1,000 LBS OF PRODUCT PER DAY ON ANY DAY

18. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from hand-shucked oyster processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	16.0	23.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.77	1.1	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HAND-SHUCKED OYSTER PROCESSING – ALL NEW SOURCES

19. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from hand-shucked oyster processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	16.0	23.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.77	1.1	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – STEAMED AND CANNED OYSTER PROCESSING (Mechanized Shucking) – ALL EXISTING SOURCES

20. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized oyster processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	190	270	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	~~17~~ 1.7	2.3	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – STEAMED AND CANNED OYSTER PROCESSING (Mechanized Shucking) – ALL NEW SOURCES

21. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from mechanized oyster processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	17.0	67.0	NA	1/3 MONTHS	Comp
TSS	NL	NL	39.0	56.0	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	0.42	0.84	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – SCALLOP PROCESSING – ALL EXISTING SOURCES

22. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from scallop processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	1.4	~~6.6~~ 5.7	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	~~0.24~~ 0.23	~~7.7~~ 7.3	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – SCALLOP PROCESSING – ALL NEW SOURCES

23. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from scallop processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT	MONITORING		DISCHARGE LIMITATIONS				
CHARACTERISTICS	REQUIREMENTS						
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	1.4	5.7	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	0.23	7.3	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – FARM-RAISED CATFISH PROCESSING – EXISTING SOURCES WHICH PROCESS MORE THAN 3,000 LBS OF RAW MATERIAL PER DAY ON ANY DAY

24. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from farm-raised catfish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	9.2	28.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	3.4	10.0	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – FARM-RAISED CATFISH PROCESSING – ALL NEW SOURCES

25. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from farm-raised catfish processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	2.3	4.6	NA	1/3 MONTHS	Comp
TSS	NL	NL	5.7	11.0	NA	1/3 MONTHS	Comp

Oil and Grease	NL	NL	0.45	0.90	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HERRING PROCESSING – EXISTING SOURCES

26. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from herring processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	MONITORING REQUIREMENTS		DISCHARGE LIMITATIONS				
	Kg/day		Kg/kkg				
	~~Monthly Avg.~~	~~Daily Max.~~	~~Monthly Avg.~~	~~Daily Max.~~	~~Daily Min.~~	~~Sample Frequency~~	~~Sample Type~~
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
TSS	NL	NL	~~1.4~~ 24.0	~~6.6~~ 32.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	~~0.24~~ 10.0	~~7.7~~ 27.0	NA	1/3 MONTHS	Grab
Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – HERRING PROCESSING – ALL NEW SOURCES

27. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from herring processing from outfall(s)

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT	MONITORING		DISCHARGE LIMITATIONS				
CHARACTERISTICS	REQUIREMENTS						
	Kg/day		Kg/kkg				
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Daily Min.	Sample Frequency	Sample Type
Flow (MGD)	NA	NL	NA	NA	NA	1/3 MONTHS	Estimate
pH (S.U.)	NA	NA	NA	9.0	6.0	1/3 MONTHS	Grab
BOD_5	NL	NL	15.0	16.0	NA	1/3 MONTHS	Comp
TSS	NL	NL	5.2	7.0	NA	1/3 MONTHS	Comp
Oil and Grease	NL	NL	1.1	2.9	NA	1/3 MONTHS	Grab

Production	NA	NL	NA	NA	NA	1/3 MONTHS	Measure

NL = No Limitation, monitoring required.

NA = Not applicable.

Grab = Individual grab sample is to be taken in the middle of a composite sampling period.

Comp = Hourly grab samples taken over the duration of a processing cycle (including cleanup) combined to form one representative sample, not to exceed eight grab samples.

Production – see Special Condition No. 7.

Samples shall be collected by March 31, June 30, September 30 and December 31 and reported by the 10th of the following month on the facility's Discharge Monitoring Report (DMR). All calculations shall be submitted with the DMR.

B. Special Conditions

1. No sewage shall be discharged from a point source to surface waters at this facility except under the provisions of another VPDES permit specifically issued for that purpose.

2. There shall be no chemicals added to the water or waste which may be discharged, including sodium tripolyphosphate, other than those listed on the owner's accepted registration statement, unless prior approval of the chemical(s) is granted by the regional office director.

~~3. By-products used in a value added process, such as seasonings or breading, may be included in the discharge in incidental quantities.~~

~~4.~~3. Wastewater should be reused or recycled whenever feasible.

~~5.~~4. The permittee shall comply with the following solids management plan:

a. There shall be no discharge of floating solids or visible foam in other than trace amounts.

b. All floors, machinery, conveyor belts, dock areas, etc. shall be dry swept or dry brushed prior to washdown.

c. All settling basins shall be cleaned frequently in order to achieve effective settling.

d. All solids resulting from the seafood processes covered by this general permit, other than oyster,

clam or scallop shells, shall be handled, stored and disposed of so as to prevent a discharge to state waters of such solids or industrial wastes or other wastes from those solids.

e. The permittee shall install and properly maintain whatever wastewater treatment process is necessary in order to remove organic solids present in the wastewater that may settle and accumulate on the substrate of the receiving waters in other than trace amounts. ~~By-products used in a value-added process, such as seasonings or breading, may be included in the discharge in incidental quantities.~~

f. All employees shall receive training relative to preventive measures taken to control the release of solids from the facility into surface waters.

~~6.~~5. This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard, limitation or prohibition for a pollutant which is promulgated or approved under § 307 (a) (2) of the Clean Water Act (33 USC § 1317(a)(2)), if the effluent standard, limitation or prohibition so promulgated or approved:

a. Is more stringent than any effluent limitation on the pollutant already in the permit; or

b. Controls any pollutant not limited in the permit.

~~7.~~6. Production to be reported and used in calculating effluent discharge levels in terms of kg/kkg shall be the weight in kilograms of raw material processed, in the form in which it is received at the processing plant, on the day of effluent sampling, except for the hand-shucked oyster, steamed and canned oyster, and scallop

processing subcategories, for which production shall mean the weight of oyster or scallop meat after processing. The effluent levels in terms of kg/kkg shall be calculated by dividing the measured pollutant load in kg/day by the production level in kkg (thousands of kilograms).

7. The permittee shall notify the department as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

1. One hundred micrograms per liter (100 ug/l);

2. Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

3. Five times the maximum concentration value reported for that pollutant in the permit application; or

4. The level established by the board.

b. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of a toxic pollutant which is not limited in the permit if that

discharge will exceed the highest of the following notification levels:

1. Five hundred micrograms per liter (500 ug/l);

2. One milligram per liter (1 mg/l) for antimony;

3. Ten times the maximum concentration value reported for that pollutant in the permit application; or

4. The level established by the board.

PART II

STORM WATER POLLUTION PREVENTION PLANS

A storm water pollution prevention plan shall be developed for each facility covered by this permit which has storm water discharges and falls is classified under SIC Code 2091 or 2092. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which that may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of

this permit.

A. Deadlines for Plan Preparation and Compliance

~~1. For a storm water discharge associated with industrial activity that is existing on or before the effective date of this permit, the storm water pollution prevention plan:~~

~~a. shall be prepared within 180 days after the dated coverage under this permit; and~~

~~b. shall provide for implementation and compliance with the terms of the plan within 365 days after the date of coverage under this permit.~~

1. Existing facilities and new facilities that begin operation on or before July 24, 2001 shall prepare and implement a plan incorporating the storm water pollution prevention plan requirements of this permit, if not included in an existing plan, as expeditiously as practicable, but not later than six months following notification of coverage under the general permit. Existing storm water pollution prevention plans being implemented as of July 24, 2001 shall continue to be implemented until a new plan, if required, is developed and implemented.

~~2. The plan for any facility where industrial activity commences on or after the effective date of this permit, and except as provided elsewhere in this permit, shall be prepared and provide for compliance with the terms of the plan and this permit on or before the date of submission of a registration statement to be covered under this permit.~~

2. Facilities that begin operation after July 24, 2001 shall prepare and implement a plan incorporating the requirements of this permit prior to submitting the registration statement.

3. Upon a showing of good cause, the director may establish a later date in writing for preparing and compliance with a plan for a storm water discharge associated with industrial activity that submits a registration statement in accordance with the registration requirements.

B. Signature and Plan Review

1. The plan shall be signed in accordance with ~~Part III.G~~ Part III.K (signatory requirements), and be retained on-site at the facility covered by this permit in accordance with ~~Part III.C (retention of records)~~ Part III.B (records) of this permit.

2. The permittee shall make plans available to the department upon request.

3. The director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 30 days of such notification from the director, or as otherwise provided by the director, the permittee shall make the required changes to the plan and shall submit to the department a written certification that the requested changes have been made.

C. Keeping Plans Current

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the state or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part II.D.2 (description of potential pollutant sources) of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

D. Contents of Plan

The plan shall include, at a minimum, the following items:

1. Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water pollution prevention team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

2. Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

a. Drainage.

1. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part II.D.2.c (spills and leaks) of this permit have occurred, and the locations of the following activities ~~where such activities are exposed to precipitation~~: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. ~~The map must indicate all outfall locations and discharge types in the drainage area of the storm water outfall.~~

2. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of the chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

b. Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of coverage under this general permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the date of coverage under this general permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

c. Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of three years prior to the date of coverage under this general permit. Such list shall be updated as appropriate during the term of the permit.

d. Sampling Data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

e. Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading

operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

3. Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

   a. Good Housekeeping. Good housekeeping requires the maintenance of areas which may contribute pollutants to storm waters discharges in a clean, orderly manner.

   b. Preventive Maintenance. A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g. cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

   c. Spill Prevention and Response Procedures. Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying

drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

d. Inspections. In addition to or as part of the comprehensive site compliance evaluation required under Part II.D.4 of this permit, ~~qualified facility personnel~~ facility personnel who are familiar with the plant operations, best management practices and the storm water pollution prevention plan shall be identified to inspect designated equipment and areas of the facility ~~where potential for exposure to storm water exists including loading and unloading areas, storage areas and waste management units,~~ at appropriate intervals specified in the plan. A set of tracking or follow up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.

e. Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.

f. Record keeping and Internal Reporting Procedures. A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

g. Sediment and Erosion Control. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

h. Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity (see Part II.D.2 (description of potential pollutant sources) of this permit) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales ~~and practices~~, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

4. Comprehensive Site Compliance Evaluation. ~~Qualified personnel~~ Facility personnel who are familiar with the plant operations, best management practices and the storm water pollution prevention plan shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

    a. Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

    b. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with Part II.D.2 (description of potential pollutant sources) of this permit and pollution prevention measures and controls identified in the plan in accordance with Part II.D.3 (measures and controls) of this permit shall be revised as appropriate within 14 days of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 90 days after the inspection.

    c. A report summarizing the scope of the inspection, personnel making the inspection, the

date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with Part II.D.4.b of this permit shall be made and retained as part of the storm water pollution prevention plan as required in ~~Part III.C~~ Part III.B. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with ~~Part III.G~~ Part III.K (signatory requirements) of this permit and retained as required in ~~Part III.C~~ Part III.B.

d. Where compliance evaluation schedules overlap with inspections required under Part II.D.3.d (inspections), the compliance evaluation may be conducted in place of one such ~~inspection.~~

5. Consistency with other plans. Storm water pollution prevention plans may ~~reflect~~ reference the requirements for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under § 311 of the Clean Water Act or Best Management Practices (BMP) Programs otherwise required by a VPDES permit for the facility as long as such requirement is incorporated into the storm water pollution prevention plan.

6. Additional requirements for storm water discharges associated with industrial activity that discharge into or through municipal separate storm sewer systems serving a population of 100,000 or more.

a. In addition to the applicable requirements of this permit, facilities covered by this permit

must comply with applicable requirements in municipal storm water management programs developed under VPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the permittee has been notified of such conditions.

b. Permittees that discharge storm water associated with industrial activity through a municipal separate storm sewer system serving a population of 100,000 or more, or a municipal system designated by the board, shall make plans available to the municipal operator of the system upon request.

Part III

MONITORING AND REPORTING

A. Sampling and Analysis Methods

1. Samples and measurements taken as required by this permit shall be representative of the volume and nature of the monitored activity.

2. Unless otherwise specified in this permit all sample preservation methods, maximum holding times and analysis methods for pollutants shall comply with requirements set forth in Guidelines

~~Establishing Test Procedures for the Analysis of Pollutants promulgated at 40 CFR Part 136.~~

~~3. The sampling and analysis program to demonstrate compliance with the permit shall at a minimum, conform to Part I of this permit.~~

~~4. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.~~

~~B. Recording of Results~~

~~For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:~~

~~1. The date, exact place and time of sampling or measurements;~~

~~2. The person(s) who performed the sampling or measurements;~~

~~3. The dates analyses were performed;~~

~~4. The person(s) who performed each analysis;~~

~~5. The analytical techniques or methods used;~~

~~6. The results of such analyses and measurements;~~

~~C. Records Retention~~

~~All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for three (3) years from the date of the sample, measurement or report or until at least one year after coverage under this general permit terminates, whichever is later. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.~~

~~D. Additional Monitoring by Permittee~~

~~If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the monitoring report. Such increased frequency shall also be reported.~~

~~E. Water Quality Monitoring~~

~~The Director may require every permittee to furnish such plans, specifications, or other pertinent information as may be necessary to determine the effect of the pollutant(s) on the water quality or to ensure pollution of state waters does not occur or such information as may be necessary to accomplish the purposes of the Virginia State Water Control Law, Clean Water Act or the board's regulations.~~

~~The permittee shall obtain and report such information if requested by the board. Such information shall be subject to inspection by authorized state and federal representatives and shall be submitted with such frequency and in such detail as requested by the board.~~

~~F. Reporting Requirements~~

~~1. The discharge monitoring reports (DMR) shall be submitted to the appropriate DEQ regional office by January 10th, April 10th, July 10th and October 10th of each year. Those facilities which require once per year monitoring shall submit the DMR for each monitoring year by the 10th of January of the following year. All laboratory results and calculations shall be submitted with the DMR.~~

~~2. If, for any reason, the permittee does not comply with one or more limitations, standards, monitoring or management requirements specified in this permit, the permittee shall submit to the department's regional office with the monitoring report at least the following information:~~

~~a. A description and cause of noncompliance;~~

~~b. The period of noncompliance, including exact dates and times and/or the anticipated time when the noncompliance will cease; and~~

~~c. Actions taken or to be taken to reduce, eliminate, and prevent recurrence of the noncompliance.~~

~~Whenever such noncompliance may adversely affect state waters or may endanger public health, the permittee shall submit the above required information by oral report within 24 hours from the time the permittee becomes aware of the circumstances and by written report within five days. The board may waive the written report requirement on a case by case basis if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.~~

~~3. The permittee shall report any unpermitted, unusual or extraordinary discharge which enters or could be expected to enter state waters. The permittee shall provide information specified in Part III.F.2.a-c. regarding each such discharge immediately, that is as quickly as possible upon discovery, however, in no case later than 24 hours. A written submission covering these points shall be provided within five days of the time the permittee becomes aware of the circumstances covered by this paragraph.~~

~~Unusual or extraordinary discharge would include but not be limited to (1) unplanned bypasses, (2) upsets, (3) spillage of materials resulting directly or indirectly from processing operations, (4) breakdown of processing or accessory equipment, (5) failure of or taking out of service, sewage or industrial waste treatment facilities, auxiliary facilities, or (6) flooding or other acts of nature.~~

~~The report shall be made to the regional office. For reports outside normal working hours, leave a message and this shall fulfill the reporting requirements. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.~~

~~G. Signatory Requirements~~

~~Any registration statement, report, or certification required by this permit shall be signed as follows:~~

~~1. Registration Statement~~

~~a. For a corporation: by a responsible corporate official. For purposes of this section, a responsible corporate official means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.~~

~~b. For a municipality, state, federal or other public agency by either a principal executive officer or ranking elected official. (A principal executive officer of a federal, municipal, or state agency includes the chief executive officer of the agency or head executive officer having responsibility for the overall operation of a principal geographic unit of the agency).~~

~~c. For a partnership or sole proprietorship, by a general partner or proprietor~~

~~respectively.~~

~~2. Reports - All reports required by permits and other information requested by the Director shall be signed by:~~

~~a. One of the persons described in subparagraph 1., a., b., or c. of this section; or~~

~~b. A duly authorized representative of that person. A person is a duly authorized representative only if:~~

~~1. The authorization is made in writing by a person described in subparagraph 1.a., b., or c. of this section; and~~

~~2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).~~

~~3. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation~~

~~of the facility, a new authorization must be submitted to the department prior to or together with any separate information, or registration statement to be signed by an authorized representative.~~

~~3. Certification - Any person signing a document under paragraph 1. or 2. of this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."~~

~~Part IV~~

~~MANAGEMENT REQUIREMENTS~~

~~A. Change in Discharge of Pollutants~~

~~1. Any permittee proposing a new discharge shall submit a registration statement at least 30 days prior to commencing erection, construction, or expansion or employment of new processes at~~

~~any facility. There shall be no construction or operation of said facilities prior to the issuance of a permit.~~

~~2. The permittee shall submit a registration statement at least 30 days prior to any planned changes, including proposed facility alterations or additions, production increases, adding new processes or process modifications when:~~

~~a. The planned change to a permitted facility may meet one of the criteria for determining whether a facility is a new source; or~~

~~b. The planned change could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to the notification level requirements in Part IV, A.3; or~~

~~c. The planned change may result in noncompliance with permit requirements.~~

~~3. The permittee shall promptly provide written notice of the following:~~

~~a. Any reason to believe that any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit, if that discharge will exceed~~

~~the highest of the following "notification levels":~~

~~5. One hundred micrograms per liter (100 ug/l);~~

~~6. Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;~~

~~3. The level established in accordance with regulation under Section 307(a) of the Act and accepted by the board.~~

~~b. Any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of a toxic pollutant which is not limited in the permit if that discharge will exceed the highest of the following "notification levels":~~

~~1. Five hundred micrograms per liter (500 ug/l);~~

~~2. One milligram per liter (1 mg/l) for antimony;~~

~~3. The level established by the board~~

~~Such notice shall include information on: (1) the characteristics and~~

~~quantity of pollutants to be introduced into or from such treatment works; (2) any anticipated impact of such change in the quantity and characteristics of the pollutants to be discharged from such treatment works; and (3) any additional information that may be required by the board.~~

~~B. Treatment Works Operation and Quality Control~~

~~1. Design and operation of facilities and/or treatment works and disposal of all wastes shall be in accordance with the registration statement filed with the department and in conformity with the conceptual design, or the plans, specifications, and/or other supporting data accepted by the board. The acceptance of the treatment works conceptual design or the plans and specifications does not relieve the permittee of the responsibility of designing and operating the facility in a reliable and consistent manner to meet the facility performance requirements in the permit. If facility deficiencies, design and/or operational, are identified in the future which could affect the facility performance or reliability, it is the responsibility of the permittee to correct such deficiencies.~~

~~2. All waste collection, control, treatment, and disposal facilities shall be operated in a manner consistent with the following:~~

~~a. At all times, all facilities shall be operated in a prudent and workmanlike manner so as to minimize upsets and discharges of excessive pollutants to state waters.~~

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

c. Maintenance of treatment facilities shall be carried out in such a manner that the monitoring and limitation requirements are not violated.

d. Collected solids shall be stored and disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into state waters.

C. Adverse Impact

The permittee shall take all feasible steps to minimize any adverse impact to state waters resulting from noncompliance with any limitation(s) or conditions specified in this permit, and shall perform and report such accelerated or additional monitoring as is necessary to determine the nature and impact of the noncomplying limitation(s) or conditions.

D. Duty to Halt, Reduce Activity or to Mitigate

1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. The permittee shall take all reasonable steps to minimize, correct or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Structural Stability

The structural stability of any of the units or parts of the facilities herein permitted is the sole responsibility of the permittee and the failure of such structural units or parts shall not relieve the permittee of the responsibility of complying with all terms and conditions of this permit.

F. Bypassing

Any bypass ("Bypass - means intentional diversion of waste streams from any portion of a treatment works") of the treatment works herein permitted is prohibited unless:

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, the permittee shall notify the Department promptly at least 10 days prior to the bypass. After considering its adverse effects the Board may approve an anticipated bypass if:

a. The bypass is unavoidable to prevent a loss of life, personal injury, or severe property damage ("Severe Property Damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of

~~natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.); and~~

~~b. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down-time. However, if a bypass occurs during normal periods of equipment down-time, or preventive maintenance and in the exercise of reasonable engineering judgment the permittee could have installed adequate backup equipment to prevent such bypass, this exclusion shall not apply as a defense.~~

~~2. Unplanned Bypass - If an unplanned bypass occurs, the permittee shall notify the department as soon as possible, but in no case later than 24 hours, and shall take steps to halt the bypass as early as possible. This notification will be a condition for defense to an enforcement action that an unplanned bypass met the conditions in Part IV.F.1. above and in light of the information reasonably available to the permittee at the time of the bypass.~~

~~G. Conditions Necessary to Demonstrate an Upset~~

~~A permittee may claim an upset as an affirmative defense to an action brought for noncompliance for only technology- based effluent limitations. In order to establish an affirmative defense of upset, the permittee shall present properly signed, contemporaneous operating logs or other relevant evidence that shows:~~

1. That an upset occurred and that the cause can be identified;

2. The facility permitted herein was at the time being operated efficiently and in compliance with proper operation and maintenance procedures;

3. The permittee submitted a notification of noncompliance as required by Part III.F; and

4. The permittee took all reasonable steps to minimize or correct any adverse impact to state waters resulting from noncompliance with the permit.

H. Compliance With State and Federal Law

Compliance with this permit during its term constitutes compliance with the State Water Control Law and the Clean Water Act except for any toxic standard imposed under Section 307(a) of the Clean Water Act.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act.

I. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or

any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

J. Severability

The provisions of this permit are severable.

K. Duty to Reregister

If the permittee wishes to continue to discharge under a general permit after the expiration date of this permit, the permittee must submit a new registration statement at least 120 days prior to the expiration date of this permit.

L. Right of Entry

The permittee shall allow, or secure necessary authority to allow, authorized state and federal representatives, upon the presentation of credentials:

1. To enter upon the permittee's premises on which the establishment, treatment works, or discharge(s) is located or in which any records are required to be kept under the terms and conditions of this permit;

2. To have access to inspect and copy at reasonable times any records required to be kept under the terms and conditions of this permit;

3. To inspect at reasonable times any monitoring equipment or monitoring method required in this permit;

4. To sample at reasonable times any waste stream, discharge, process stream, raw material or by-product; and

5. To inspect at reasonable times any collection, treatment or discharge facilities required under this permit.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection time unreasonable during an emergency.

M. Transferability of Permits

This permit may be transferred to another person by a permittee if:

1. The current owner notifies the department 30 days in advance of the proposed transfer of the title to the facility or property;

2. The notice to the department includes a written agreement between the existing and proposed new owner containing a specific date of transfer of permit responsibility, coverage and liability between them; and

3. The department does not within the 30-day time period notify the existing owner and the proposed owner of the board's intent to modify or revoke and reissue the permit.

Such a transferred permit shall, as of the date of the transfer, be as fully effective as if it had been issued directly to the new permittee.

N. Public Access to Information

Any secret formulae, secret processes, or secret methods other than effluent data submitted to the department may be claimed as confidential by the submitter pursuant to §62.1-44.21 of the Code of Virginia. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "secret formulae, secret processes or secret methods" on each page containing such information. If no claim is made at the time of submission, the department may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in the Virginia Freedom of Information Act (§§2.1-340 et seq. and 62.1-44.21 of the Code of Virginia).

Claims of confidentiality for the following information will be denied:

1. The name and address of any permit applicant or permittee;

2. Registration statements, permits, and effluent data.

~~Information required by the registration statement may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.~~

~~O. Permit Modification~~

~~The permit may be modified when any of the following developments occur:~~

~~1. When a change is made in the promulgated standards or regulations on which the permit was based;~~

~~2. When an effluent standard or prohibition for a toxic pollutant must be incorporated in the permit in accordance with provisions of Section 307(a) of the Clean Water Act (U.S.C 33 1251 et seq); or~~

~~3. When the level of discharge of a pollutant not limited in the permit exceeds applicable Water Quality Standards or the level which can be achieved by technology-based treatment requirements appropriate to the permittee.~~

~~P. Permit Termination~~

~~After public notice and opportunity for a hearing, the general permit may be terminated for cause.~~

~~Q. When an Individual Permit May Be Required~~

~~The board may require any permittee authorized to discharge under this permit to apply for and obtain an individual permit. Cases where an individual permit may be required include, but are not limited to, the following:~~

~~1. The discharger(s) is a significant contributor of pollution.~~

~~2. Conditions at the operating facility change altering the constituents or characteristics of the discharge such that the discharge no longer qualifies for a general permit.~~

~~3. The discharge violates the terms or conditions of this permit.~~

~~4. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source.~~

~~5. Effluent limitation guidelines are promulgated for the point sources covered by this permit.~~

~~6. A water quality management plan containing requirements applicable to such point sources is approved after the issuance of this permit.~~

~~This permit may be terminated as to an individual permittee for any of the reasons set forth above after appropriate notice and an opportunity for a hearing.~~

~~R. When an Individual Permit May be Requested~~

~~Any permittee operating under this permit may request to be excluded from the coverage of this permit by applying for an individual permit. When an individual permit is issued to a permittee the applicability of this general permit to the individual permittee is automatically terminated on the effective date of the individual permit. When a general permit is issued which applies to a permittee already covered by an individual permit, such permittee may request exclusion from the provisions of the general permit and subsequent coverage under an individual permit.~~

~~S. Civil and Criminal Liability~~

~~Except as provided in permit conditions on "bypassing" (Part IV.F.), and "upset" (Part IV.G.) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance with the terms of this permit.~~

~~T. Oil and Hazardous Substance Liability~~

~~Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act or Sections 62.1-44.34:14 through 62.1-44.34:23 of the Law.~~

~~U. Unauthorized Discharge of Pollutants~~

~~Except in compliance with this permit, it shall be unlawful for any permittee to:~~

~~1. Discharge into state waters sewage, industrial wastes, other wastes or any noxious or deleterious substances; or~~

~~2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses.~~

Part III

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.

2. Monitoring shall be conducted according to procedures approved under [~~40 CFR~~ Title 40 Code of Federal Regulations] Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.

3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and

analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;

b. The individual(s) who performed the sampling or measurements;

c. The date(s) and time(s) analyses were performed;

d. The individual(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under [~~40 CFR~~ Title 40 Code of Federal Regulations] Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information.

The permittee shall furnish to the department, within a reasonable time, any information which the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department, upon request, copies of records required to be kept by

this permit.

E. Compliance schedule reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges.

Except in compliance with this permit or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part III.F (unauthorized discharges); or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part III.F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours

after said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;

2. The cause of the discharge;

3. The date on which the discharge occurred;

4. The length of time that the discharge continued;

5. The volume of the discharge;

6. If the discharge is continuing, how long it is expected to continue;

7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part III.I.2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;

2. Breakdown of processing or accessory equipment;

3. Failure or taking out of service some or all of the treatment works; and

4. Flooding or other acts of nature.

I. Reports of noncompliance.

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this subdivision:

a. Any unanticipated bypass; and

b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within 5 days and shall contain:

a. A description of the noncompliance and its cause;

b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part III.I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts III.I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part III.I.2.

NOTE: The immediate (within 24 hours) reports required in Parts III.G, H and I may be made to the department's regional office. Reports may be made by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under §306 of the federal Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with §306 of the federal Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with §306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purposes of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities [employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if , provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where] authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board, shall be signed by a person described in Part III.K.1 or by a duly authorized representative of that person. A person is a duly

authorized representative only if:

a. The authorization is made in writing by a person described in Part III.K.1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part III.K.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part III.K.2 shall be submitted to the department prior to or together with any reports or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts III.K.1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the federal Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the federal Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under §307(a) of the federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under §405(d) of the federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a permit.

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights or any infringement of federal, state or local laws

or regulations.

O. State law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to, any other state law or regulation or under authority preserved by §510 of the federal Clean Water Act. Except as provided in permit conditions on "bypass" (Part III.U), and "upset" (Part III.V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper operation and maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges.

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Parts III.U.2 and U.3.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted if possible at least 10 days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part IILI (reports of noncompliance).

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part IILU.2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed in Part IILU.3.a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-

based permit effluent limitations if the requirements of Part III.V.2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required in Part III.I; and

d. The permittee complied with any remedial measures required under Part III.S.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry.

The permittee shall allow the director or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of

this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by the federal Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the department. Except as provided in Part III.Y.2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such

other requirements as may be necessary under the State Water Control Law and the federal Clean Water Act.

2. As an alternative to transfers under Part III.Y.1, this permit may be automatically transferred to a new permittee if:

a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;

b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

c. The board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III.Y.2.b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.